IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

**O R D E R**

S.B. CIVIL WRIT PETITION NO. 75/2007

DR. GURDEEP SINGH Vs. UNIVERSITY OF RAJASTHAN & ANR.

DATE: 06.08.2007.

**HON'BLE MR. K.S. RATHORE, J.**

Mr. Lokesh Sharma for the petitioner.
Mr. R.A. Katta for the respondents.

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This writ petition has been filed by the petitioner seeking writ, order or direction for treating the petitioner having been passed the MBBS Final Year Examination in the year 1991 and the respondents be directed to allow the petitioner to complete his remaining 2-1/2 months internship training programme and accordingly the respondent University be directed to award a degree of MBBS to the petitioner.

The petitioner to this effect has moved application stating therein that the copies of the petitioner have been seized in Criminal Case No. 740/2001 and were placed before the Additional Chief Judicial Magistrate (Sr. Division) No.4, Jaipur on 25.10.2001 and since then the answer books of the petitioner are lying with the Additional Chief Judicial

Magistrate (Sr. Division) No.4, Jaipur and until and unless the answer books are made available to the University and after examining the answer books, the petitioner can only be awarded marks and relief claimed by the petitioner can only be granted.

In view of the aforesaid facts, the respondent University is directed to move application before the Additional Chief Judicial Magistrate (Sr. Division) No.4, Jaipur for getting the answer books relating to the petitioner for examining the Paper-I and II of Medicine and Paper-I and II of Surgery and after examining the same shall prepare tabulation and after awarding marks, record deposited by the University before the Additional Chief Judicial Magistrate (Sr. Division) No.4, Jaipur be sent back and thereafter marks awarded to the petitioner in the aforesaid papers will be considered by the University and in case the petitioner is declared pass, then the petitioner may be awarded a degree of M.B.B.S. and be allowed to complete his remaining 2-1/2 months internship training programme. The aforesaid exercise will be undertaken by the respondent University expeditiously, but in any case not beyond the period of two months from the date of receipt of certified copy of this order.

With these observations, the writ petition stands disposed of.

The application also stands disposed of.

**(K.S. RATHORE),J.**

/KKC/